

RESOLUTION NO. 09-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF COSTA MESA, CALIFORNIA, APPROVING OF
MODIFICATIONS CONTAINED IN AMENDED TRACT
MAP NO. 16917

THE CITY COUNCIL OF THE CITY OF COSTA MESA HEREBY RESOLVES AS
FOLLOWS:

WHEREAS, a public hearing was held to review correction/changes contained in Amended Tract Map No. 16917, in regards to the real property located at 1011 – 1045 El Camino Drive, requesting approval of said Amended Tract Map which will allow for multiple lot line adjustments that will affect 24 numbered interior lots and one lettered interior lot.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the City Council hereby **APPROVES** Amended Tract Map No. 16917 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Tract Application T-16917 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B" as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 3rd day of February, 2009.

Allan R. Mansoor, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, JULIE FOLCIK, City Clerk of the City of Costa Mesa, DO HEREBY CERTIFY that the above and foregoing is the original of Resolution No. 09-_____ and was duly passed and adopted by the City Council of the City of Costa Mesa at a regular meeting held on the 3rd day of February, 2009, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

IN WITNESS WHEREOF, I have hereby set my hand and affixed the seal of the City of Costa Mesa this 3rd day of February, 2009.

JULIE FOLCIK, CITY CLERK

(SEAL)

EXHIBIT "A"

FINDINGS (APPROVAL)

- A. The corrections contained within Amended Tract map No. 16917 are in substantial compliance with the approved and recorded Tract Map No. 16917 which was acted upon by the City Council on May 1, 2007.
- B. The corrections contained in this Amended Tract Map will in no way affect property rights, including, but not limited to, lot numbers, acreage, street names, and identification of adjacent record maps as was recorded in Tract Map No. 16917
- C. This Amended Tract Map meets guidelines outlined in Sec. 66469(g) of the 2008 Subdivision Map Act which states that a final map may be amended for the following purpose:
"To correct any other type of map error or omission as approved by the county surveyor or city engineer that does not affect any property right, including, but not limited to lot numbers, acreage, street names, and identification of adjacent record maps"
- D. The process followed to amend this map has conformed to guidelines stated in Sec. 66472.1 of the Subdivision Map Act:
"In addition to the amendments authorized by Section 66469, after a final map or parcel map is filed in the office of the county recorder, the recorded final map may be modified by a certificate of correction or an amending map, if authorized by local ordinance, if the local agency finds that there are changes in circumstances that make any or all of the conditions of the map no longer appropriate or necessary and that the modifications do not impose any additional burden on the fee owners of the real property, and if the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and the local agency finds that the map as modified conforms to Section 66474. Any modification shall be set for public hearing as provided for in Section 66451.3 of this division. The legislative body shall confine the hearing to consideration of and action on the proposed modification."

Amended Tract Map No. 16917 (Appeal)

EXHIBIT "B"

CONDITIONS OF APPROVAL

1. All conditions of approval code requirements, and special district requirements for Tract Application T-16917 shall continue to be complied with.
2. The amended map shall be recorded 90 days from date of this resolution approval.